

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>TROY D. GERMAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-19-751-F</b>
	)	
<b>BILLY D. “RUSTY” RHOADES, individually;</b>	)	
<b>MICHAEL HARRELL, individually;</b>	)	
<b>BRIAN ORR, individually; and</b>	)	
<b>MEGAN SIMPSON, individually,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANTS BILLY D. “RUSTY” RHOADES’S,  
MICHAEL HARRELL’S, AND MEGAN L. SIMPSON’S  
UNOPPOSED MOTION TO RESET THE CASE FROM THE DECEMBER  
2021 TRIAL DOCKET TO THE JANUARY 2022 TRIAL DOCKET**

Defendants, Billy D. “Rusty” Rhoades, Michael Harrell, and Megan L. Simpson (all cumulatively the “RHS Defendants”), by and through their attorneys of record, **DRUMMOND LAW, PLLC**, hereby respectfully moves this Court to reset the case from the December 2021 trial docket to the January 2022 trial docket. In support thereof, the RHS Defendants state as follows:

1. On April 6, 2021, the Court entered its Scheduling Order (dkt. 113) placing this case on the December 2021 trial docket.
2. After agreeing to the December 2021 trial docket, primary counsel for the RHS Defendants, Garry M. Gaskins, II, learned that his wife is expecting their second child with a due date of December 10, 2021. Consequently, this expected due date will likely interfere with the RHS Defendants’s counsel’s ability to participate in the

December 2021 trial docket scheduled to begin December 7, 2021. Accordingly, the RHS Defendants request that the case be reset to the January 2022 trial docket.

3. The RHS Defendants have not previously requested the extension of any deadline in the Scheduling Order. The parties are prepared to comply with the remaining deadlines in the Scheduling Order.

4. A prior Scheduling Order was entered in the case on February 4, 2020 (dkt. 21). The Court entered an Order on November 3, 2020 (dkt. 69) terminating deadlines in the prior scheduling order based on an Opposed Motion to Strike the Scheduling Order filed by the Plaintiff.

5. Counsel for the RHS Defendants has conferred in good faith with counsel for the other parties on this issue. The other parties in this case do not object to the relief requested herein.

6. This request is made in good faith and not for the purposes of delay.

WHEREFORE, the RHS Defendants respectfully request the case be reset from the December 2021 trial docket to the January 2022 trial docket.

**Respectfully Submitted,**

**By: s/Garry M. Gaskins, II**

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*Attorney for Defendants, Billy D. "Rusty"*

*Rhoades, Michael Harrell, and Megan L.*

*Simpson*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 11, 2021, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Stanley M. Ward  
Woodrow K. Glass  
Barrett T. Bowers  
Andrew M. Casey  
S. Alex Yaffe

s/Garry M. Gaskins, II

Garry M. Gaskins, II